

DRIVER RESPONSIBILITY LAW

Overview:

Governor Granholm signed into law Public Act 165 of 2003—known as the Driver Responsibility Law—effective October 1, 2003.

The Michigan Legislature enacted this law to deter potentially dangerous driving behavior, and save lives. New Jersey introduced a driver responsibility program in the mid-1980's. Texas launched a similar program in 2003.

The Michigan Driver Responsibility Law calls for a monetary sanction for drivers who:

- Accumulate seven or more qualifying points (Category 1), or
- Are convicted of specific qualifying offenses (Category 2)

Failure to pay the driver responsibility fee will result in a driver's license suspension.

Frequently Asked Questions (FAQ)

Keyword	FAQ
Collection of Fees	<p>Who is collecting the fee?</p> <p>Driver responsibility fees are being collected by the Department of Treasury. The law allows Department of State to delegate collection of fees to Treasury, as MDOS's agent (MCL 257.58).</p>
Driver Responsibility Qualifying Offenses	<p>What offenses qualify for driver responsibility assessment?</p> <p>Offenses occurring in Michigan with incident date on or after October 1, 2003. (See attached Category 2 qualifying offenses)</p>
Driver Responsibility Revenues	<p>Where does the driver responsibility money go?</p> <p>The monies go to the General Fund. A portion of revenue collected will go to the newly created Fire Protection Fund. The Fire Protection Fund supports fire protection grants to local units of governments.</p>

Driver Responsibility Fee Payments	<p>Where can the driver responsibility fees be paid?</p> <p>The Department of Treasury collects driver responsibility fees. Direct customers to mail a check, cashiers check or money order payable to “State of Michigan - SAC” for the amount due to:</p> <p style="padding-left: 40px;">Collection Division Michigan Department of Treasury P.O. Box 30199 Lansing, MI 48909-7699</p> <p>Include the assessment number on the check, if not available, contact Treasury at (517) 241-4900. Depending on mail time, payment through the mail may take approximately four to five days to be posted by Treasury, with notification of the payment reaching the Department of State (MDOS) in five to six days.</p> <p>EFT payments will update a payment immediately and can be made over the phone. To do so, contact Treasury at (517) 241-4900.</p> <p>Cash payments may be made in person at a Treasury field office. A receipt will be issued to the driver upon payment. However, with in-person payments it may take two to three weeks to post on Treasury’s system and for MDOS to terminate the suspension.</p> <p><i>Driver responsibility fee payments are <u>not</u> accepted at the Secretary of State branch offices.</i></p>
Driver Responsibility Qualifying Points	<p>How are 7 or more qualifying points calculated?</p> <p>Offenses received in Michigan and out-of-state with an incident date on or after October 2, 2003 that total 7 or more qualifying points within a two-year period will count toward the driver responsibility fee assessment. All points must result from incidents occurring after October 2, 2003.</p> <p>Points for subsection (2) offenses do not count toward the 7 or more point assessments. For example: The (4) points for Operating While Impaired are <u>not</u> counted for subsection 1 assessments. The person would be assessed a \$500 fee under subsection (2).</p> <p>To summarize, qualifying offenses that are assessed a separate fee do not also count toward the 7 qualifying points.</p>

Driver Responsibility Qualifying Points (cont'd)	Here are some examples of offenses that count towards the qualifying points: careless driving, drag racing, speeding, improper turn, following too close, disobeyed traffic control device, failed to yield, failed to signal or observe, unauthorized or improper use of lights, prohibited turn, drove wrong way on one-way street, drove left of center, etc.
Installment Agreements	<p>What is an Installment Agreement, and who is eligible to enter into an Installment Agreement?</p> <p>An installment agreement is an agreement between the driver and the Department of Treasury for incremental repayment of debt. Drivers who have accumulated driver responsibility fees of \$500 or more may enter into an Installment Agreement with Treasury with the payment schedule to be no longer than 12 months.</p> <p>Failure to make a payment is a default. Under the terms of the installment agreement, a default will result in a suspension of driving privileges until full payment is made. Payment arrangements must be made with Treasury, not the Department of State.</p>
Implementation of Program	<p>I was ticketed back in October. Why is my driver responsibility fee assessment being generated in February?</p> <p>Since the effective date of the law, the Department of State has been working with the Department of Treasury on programming and implementation. Initial assessments are being established in February 2004, covering convictions going back to the October 1 effective date of the law. There is no waiver of the driver responsibility fee even though the assessment is mailed months later. The 60-day payment period begins from the assessment date, not the conviction date.</p>

Order a copy of your driver record	<p>How do I get a copy of my driving record or a copy of a driver responsibility Suspension Order?</p> <p>Contact the Department of State's Record Lookup Unit at (517) 322-1624, or visit their web site at http://www.michigan.gov/sos to obtain the necessary form to request records.</p> <p>The cost for a driver record lookup is \$7. Certified records are \$8. Completed requests may be faxed to (517)-322-1181. Payments for faxed requests must be charged to a credit card account.</p> <p>Mail your completed request to: Michigan Department of State Record Lookup Unit 7064 Crowner Drive Lansing, Michigan 48918-1540</p> <p>For payment, include a check, money order, or credit card information.</p>
Payment Enforcement Actions – Department of Treasury	<p>What type of enforcement actions could be taken on delinquent driver responsibility fee?</p> <p>A person has 60 days to pay the driver responsibility fee or, for assessments of \$500 or more, enter into an Installment Agreement with Treasury. Failure to pay or make payment arrangements within 60 days will result in the account being transferred to a bad debt collection status. Treasury is authorized under the law to use certain bad debt collection tools. This may include levies on bank accounts, wage garnishment, etc.</p>
Qualifying Event - Assessment Frequency	<p>How frequently will qualifying events be assessed?</p> <p>Offenses are received once a week from the courts and will be assessed weekly. Points will be assessed once a year for drivers who incur 7 or more qualifying points within a two-year period.</p>

Qualifying Events - Category (1) and (2)	<p>How are driver responsibility fee assessments determined?</p> <p>There are two ways a person may be assessed a fee: Category (1) requires a \$100 assessment for persons reaching 7 qualifying points, and \$50 for each additional qualifying point above 7.</p> <p>Category (2) requires assessments of \$1,000, \$500, or \$150 for certain qualifying offenses. (See attached Category 2 qualifying offenses)</p>
Qualifying Events – Non Payment of Driver Responsibility Fee	<p>What will happen if the Driver Responsibility Fee is not paid?</p> <p>Drivers will be sent a notice to pay the driver responsibility fee within 30 days. A second notice will be sent 30 days later. If after 60 days the driver fails to pay, or to enter into an installment agreement, driving privileges will be suspended until full payment is made.</p>
Reinstatement Fee	<p>Is there a \$125 reinstatement fee due when a driver license is suspended for failure to pay the driver responsibility fee?</p> <p>Yes, as with other suspensions, a \$125 reinstatement fee is required under MCL 257.320e before the license is restored. The reinstatement fee must be paid at a Secretary of State branch office, and should be paid after the driver responsibility fee is paid in full.</p>
Telephone Inquiries	<p>Where can I call to ask a question?</p> <p>Questions regarding assessment balances should be referred to the Department of Treasury at (517) 241-4900.</p> <p>Questions regarding the driving record, or receiving an Order of Action to suspend a driver license should be referred to the Department of State's Driver and Vehicle Information Center at (517) 322-1460.</p>
Unlicensed/Out-of-State Drivers	<p>Can a driver responsibility fee be assessed to an unlicensed or out-of-state driver?</p> <p>Yes, fee assessments apply to licensed and unlicensed drivers. Out-of-state drivers convicted of qualifying offenses or who accumulate 7 or more qualifying points while in Michigan will be assessed a driver responsibility fee</p>

Driver Responsibility Program – Category 2 Qualifying Offenses

Assessed \$1,000 per year for two years

1025	Operating While Intoxicated
1030	Operating While Intoxicated or While Impaired Causing Death
1035	Operated While Intoxicated or While Impaired By Liquor Causing Death of An Emergency Responder
1040	Operated While Intoxicated or While Impaired By Liquor Causing Serious Injury
1120	Operated While Intoxicated or While Impaired By Controlled Substance Causing Death
1130	Operated While Intoxicated or While Impaired By Controlled Substance Causing Serious Injury
1140	CDL Manufacture/Distribute a Control Substance
1230	Operated Commercial Motor Vehicle with BAC .04 - .07
1400	Manslaughter
1410	Negligent Homicide
1420	Murder/Auto Used
1430	Felony/Auto Used
1440	Felony With Auto Used
1450	Felonious Driving
1500	Unlawful Driving Away Auto
1600	Failed to Stop or Identify After P.I. Accident Causing Serious Impairment of a Body Function
1605	Failure to Stop or Identify After P.I. Accident Causing Death
1610	Failed to Stop After P.I. Accident
1630	Failed to Stop or Identify After P.D. Accident
1706	Fleeing and Eluding officer 1 st Degree – Causing Death
1707	Fleeing and Eluding Officer 2 nd Degree – Causing Serious Injury
1708	Fleeing and Eluding Officer 3 rd Degree
1709	Fleeing and Eluding Officer 4 th Degree
1801	Failure to Use Due Care and Caution Causing Injury of a Construction Worker
1802	Failure to Use Due Care and Caution Causing Death of a Construction Worker
1803	Fail to Use Due Care Causing Injury of Person Operating Implement of Husbandry
1804	Fail to Use Due Care Causing Death of Person Operating Implement of Husbandry
1807	Failure to Yield For an Emergency Responder Causing Injury
1808	Failure to Yield For an Emergency Responder Causing Death
7030	Snowmobile – OUIL Causing Death
7040	Snowmobile – OUIL Causing Serious Impairment of A Body Function
7120	Snowmobile – Operating Under the Influence of Controlled Substance Causing Death
7130	Snowmobile – Operating Under the Influence of Controlled Substance Causing Serious Impairment of A Body Function
7300	Snowmobile – Felony/Snowmobile Used
8000	ORV – Operated Under the Influence of Liquor
8010	ORV – Operated Under Influence of Controlled Substance
8015	ORV – Combined Operated Under Influence Liquor/Controlled Substance
8020	ORV – Unlawful Bodily Alcohol Content (.10)
8025	ORV – Combined Operated Under Influence Liquor/Unlawful Bodily Alcohol Content
8030	ORV – Allowed Person Under Influence Alcohol/Controlled Substance To Operate
8040	ORV – OUIL/OUID/OWI Causing Death
8050	ORV – OUIL/OUID/OWI Causing Serious Impairment of A Body Function

Assessed \$500 per year for two years

1105	Operating With Presence of Drugs (OWPD)
1150	Child Endangerment
1200	Operating While Impaired By Liquor
1210	Operated While Impaired By Controlled Substance
1220	Combined OWI and Controlled Substance
1240	Person Under 21 With BAC
1800	Reckless Driving
3200	Drove While License Suspended/Revoked/Denied (DWLS)
3230	Drove Commercial Motor Vehicle While Disqualified
3235	DWLS Causing Death
3245	DWLS Causing Serious Injury

Assessed \$150 per year for two years

3010	Drove While Unlicensed or License Not Valid
3020	Drove w/o Proper License/Endorsement/Vehicle Group Designator
3100	No Proof of Insurance
3106	No Insurance
3220	Drove While License Expired